

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRENT LEE HARDING,

Plaintiff,

v.

CORRECTIONAL HEALTH SERVICES,
et al.,

Defendants.

No. 2:21-cv-00922 DB P

ORDER DIRECTING SERVICE BY THE
UNITED STATES MARSHAL WITHOUT
PREPAYMENT OF COSTS

Plaintiff is a county jail inmate proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff claims defendants were deliberately indifferent to his medical needs. By order dated October 3, 2022, the court determined that plaintiff stated a potentially cognizable deliberate indifference claim against defendants Gladys Mencias and Jim Holt. (ECF No. 9.) Plaintiff was given the option to proceed with the complaint as screened, voluntarily dismissing all other claims and defendants, or to file an amended complaint. Plaintiff elected to proceed on his claims against defendants Mencias and Holt. (ECF No. 10.)

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Accordingly, IT IS HEREBY ORDERED that:

1. This action shall proceed solely on plaintiff's Eighth Amendment deliberate indifference claim against defendant Gladys Mencias and Jim Holt. Plaintiff has elected to voluntarily dismiss all other claims and defendants.

2. Service shall be initiated on defendants Mencias and Holt.

3. The Clerk of the Court shall provide to plaintiff a blank summons, a copy of the complaint (ECF No. 1), two USM-285 forms, and instructions for service of process on defendants Mencias and Holt.

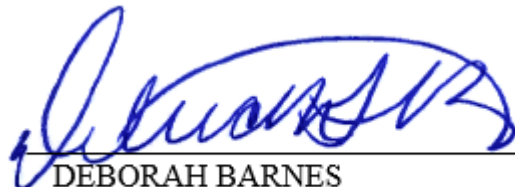
4. Within thirty days of the date of this order plaintiff shall return the attached Notice of Submission of Documents and shall submit all of the following documents to the court at the same time:

- a. The completed, signed Notice of Submission of Documents;
- b. The completed summons;
- c. Three copies of the endorsed complaint filed January 10, 2022.

5. Plaintiff shall not attempt to affect service of the complaint on defendant or request a waiver of service of summons from any defendant. Upon receipt of the above-described documents, the court will direct the United States Marshal to serve the above-named defendants pursuant to Federal Rule of Civil Procedure 4 without payment of costs.

6. Failure to comply with this order will result in a recommendation that this action be dismissed.

Dated: November 22, 2022


DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE